

04-18-01

EXPRESS MAIL NO. 773171226US  
Sector 8

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

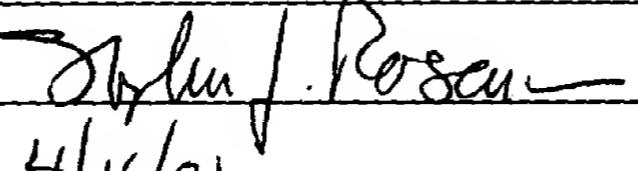
Application Number	09/765,104
Filing Date	January 16, 2001
First Named Inventor	Anne N. Murphy
Group Art Unit	1645
Examiner Name	
Attorney Docket No.	660088.438

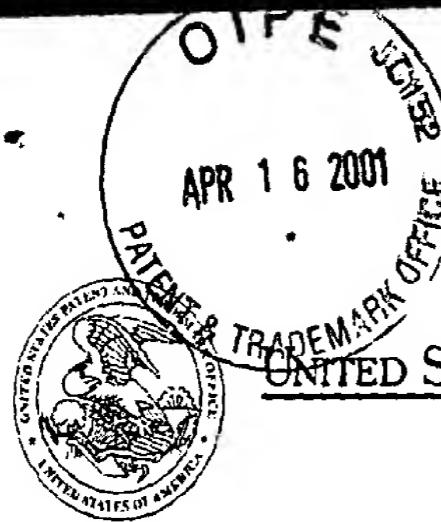
### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> General Authorization under 37 C.F.R. § 1.36(a)(3) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney; Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD(s), Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Return Receipt Postcard Declarations (2) Copy of Assignments (2) Copy of Notice to File Missing Parts
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### Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name/ Firm Name	Stephen J. Rosenman, Ph.D.	 00500 PATENT TRADEMARK OFFICE
Signature		
Date	4/16/01	



## UNITED STATES PATENT AND TRADEMARK OFFICE

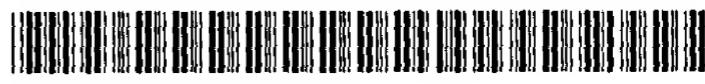
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/765,104	01/16/2001	Anne N. Murphy	660088.438

## CONFIRMATION NO. 8241

00500  
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC  
701 FIFTH AVE  
SUITE 6300  
SEATTLE, WA 98104-7092

## FORMALITIES LETTER



\*OC000000005810720\*

Date Mailed: 02/28/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

04/19/2001 KN00R1 00000052 09765104

## FILED UNDER 37 CFR 1.53(b)

01 FC:101	710.00 OP
02 FC:102	1040.00 OP
03 FC:105	130.00 OP
04 FC:104	270.00 OP
05 FC:103	2268.00 OP
06 FC:299	

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$3146.
  - \$1836 for 102 total claims over 20.
  - \$1040 for 13 independent claims over 3 .
  - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3986.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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*A copy of this notice **MUST** be returned with the reply.*

*Julie C. Mink*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



EXPRESS MAIL NO. 773171226US

CJ  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Anne N. Murphy et al.  
Application No. : 09/765,104  
Filed : January 16, 2001  
For : SCREENING ASSAYS USING INTRAMITOCHONDRIAL CALCIUM

Docket No. : 660088.438  
Group Art Unit : 1645  
Date : April 16, 2001

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated January 28, 2001, please find enclosed the following documents:

Check  
 Return Receipt Postcard  
 PTO/SB/21  
 PTO/SB/17 (+1 copy)  
 Response to Notice to File Missing Parts (+1 copy)  
 Declaration  
 Election and Power of Attorney  
 Copy of Assignment  
 Copy of Notice to File Missing Parts

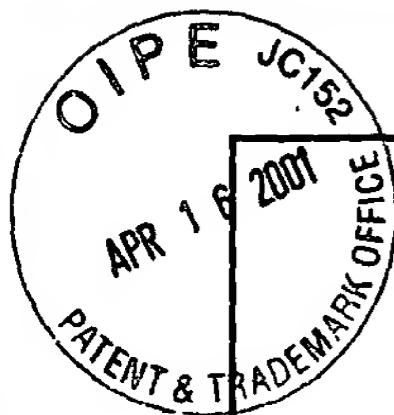
Respectfully submitted,

Anne N. Murphy et al.

Seed Intellectual Property Law Group PLLC

Stephen J. Rosenman

Stephen J. Rosenman, Ph.D.  
Registration No. 43,058



# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

**4,427**

Complete if Known	
Application Number	<b>09/765,104</b>
Filing Date	<b>January 16, 2001</b>
First Named Inventor	<b>Anne N. Murphy</b>
Examiner Name	
Group Art Unit	<b>1645</b>
Attorney Docket No.	<b>660088.438</b>

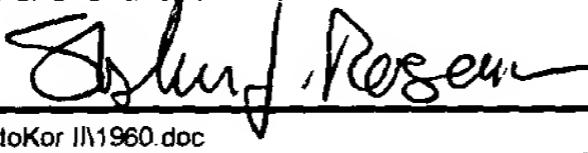
METHOD OF PAYMENT	
1. <input type="checkbox"/>	The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
Deposit Account Number	<b>19-1090</b>
Deposit Account Name	<b>Seed Intellectual Property Law Group PLLC</b>
<input checked="" type="checkbox"/>	Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
<input type="checkbox"/>	Applicant claims small entity status. See 37 CFR 1.27
2. <input checked="" type="checkbox"/>	Payment Enclosed:
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other	

FEE CALCULATION					
1. <u>BASIC FILING FEE</u>					
<u>Large Entity</u>	<u>Small Entity</u>				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	<b>710</b>
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>(\$710)</b>

2. EXTRA CLAIM FEES							
Total Claims	<b>154</b>	-20** =	<b>134</b>	x	<b>18</b>	=	<b>2,412</b>
Independent Claims	<b>16</b>	-3** =	<b>13</b>	x	<b>80</b>	=	<b>1,040</b>
Multiple Dependent				x	<b>135</b>	=	<b>135</b>
<u>Large Entity</u>	<u>Small Entity</u>						
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description			
103	18	203	9	Claims in excess of 20			
102	80	202	40	Independent claims in excess of 3			
104	270	204	135	Multiple dependent claim, if not paid			
109	80	209	40	** Reissue independent claims over original patent			
110	18	210	9	** Reissue claims in excess of 20 and over original patent			
<b>SUBTOTAL (2)</b>					<b>(\$3587)</b>		

\*\*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)					
<b>3. ADDITIONAL FEES</b>					
<u>Large Entity</u>	<u>Small Entity</u>				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	<b>130</b>
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,240	241	620	Petition to revive – unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
<b>SUBTOTAL (3)</b>					
<b>(\$130)</b>					

SUBMITTED BY			
Name (Print/Type)	<b>Stephen J. Rosenman, Ph.D.</b>	Registration No. Attorney/Agent	<b>43,058</b>
Firm Name/Address			
Signature		Date	<b>4/16/01</b>



PATENT TRADEMARK OFFICE